

Senate Chamber, November 13, 1863
Friday, 10 o'clock A.M.

Senate met, prayer by the Chaplain, roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Dickson presented the petition of Philander Priestly asking for land. Referred to Committee on Private Land Claims.

Mr. Lea, Chairman of Committee on Finance, made the following reports: on the resolution relative to change bills issued by County Courts as follows "Article 400 of the Penal Code is a prohibition against the issuing of such bills; and illegality attaches to County Court issues as to those of private persons. Notwithstanding the prohibitory law, public sentiment has tolerated such issues since the commencement of the war. But the supposed necessity for such issues has been gradually diminished by the circulation of small Confederate notes; and public sentiment is now denouncing all such outstanding issues of unofficial persons while it manifests a growing disapprobation of the issues of County Courts especially of bills over the amount of fifty cents.

Both official and private offenders against the existing law may be visited by its penalties unless the modifications of public sentiment be practically respected by those who continually stand liable to prosecutions. As such sentiment shall become impatient with disobedience of its requirements the present law may be enforced; but in the meantime additional legislation might be unavailing.

The Committee deems it inexpedient to legislate so as to sanction any of the past illegalities by discriminations among them, and it is not satisfied that any of the evils would be remedied by additional penalties or other provisions of law.

The Committee recommends that the subject be left in the hands of the public under the existing law until another session of the legislature."

Upon a bill to amend the 1st section of an act fixing the salaries of Officers and Clerks therein named the Committee recommend that the caption be amended by adding the words "approved January 14, 1862" and by a majority of five to two, that the bill as amended in the Senate by striking out 14, inserting 12, be passed. The effect would be to raise the salary of the Governor's private secretary

from 900 dollars to 1,200 dollars and so place this clerkship in the second class among those of the departments at Austin.

The Committee will briefly state some reasons for now making this change.

First the Committee is well satisfied that equality among the clerkships required that this salary should be at least 1,200 dollars. Second the Committee is well informed that the last regular session of the legislature when it passed the act which the present bill proposes to amend would have fixed this salary at 1,200 dollars but for a personal casualty. This circumstance being obviated the Committee thinks that the omission should now be remedied as comparative justice.

Third the Committee is fully persuaded that the public interest requires that this officer should have such qualifications as must entitle him to the proposed salary especially during the continuance of the present war.

Under such circumstances the proposed change is not to be considered as a committal for any other change by the reverse. The Committee is not aware of any similar case and the peculiarities of this case as an exception requiring change only establish the contrary as to other cases."

Mr. Dickson made the following report by leave of the Senate: "The undersigned a minority of the Committee on Finance dissenting from the report of the majority on a bill to increase the annual salary of the Secretary of the Executive report, that in their opinion the proposed measure at the present time is highly injudicious. That officer from the organization of the State Government to the present time has never received more than the salary now fixed by law and while it is admitted that it is but a remuneration now for the service of an active and efficient clerk in view of the enhanced prices of all the necessary articles of life, still the great fact cannot be lost sight of that in the present disturbed and troubled condition of the country with a currency constantly fluctuating in its value that all of the officials of the State government from the highest to the lowest are alike called upon to submit to the same disagreeable condition of things and serve the state for an amount which affords but a precarious living and which under other and more favorable circumstances they

could not be required to submit to. The officers and soldiers of the army with an enlarged and cumulative patriotism through toil, disease and the carnage of the battlefield yield their services to the country arduous and dangerous as they are for comparatively nothing in the way of remuneration in money, thousands of them too are gentlemen well qualified for the discharge of any and all of the important duties of civil station yet their compensation is not sufficient to furnish the commonest necessities of life. Your committee cannot see why this inequality should exist, why the citizen in the army should be required to give his service to the country and the citizens in civil employment with a position of comparative ease should be the reciprocal of governmental favors and advantages.

Contemplating the constantly increasing debt of the state and the fact that our people will be called upon to pay by taxation and otherwise a debt already large and which from our present surroundings must soon be much larger the present is deemed by your committee an inauspicious time to enter upon an increase of the salaries of state officials, they would infinitely prefer to see them reduced and the finances of the state closely husbanded to meet the increasing and constantly accumulating public debt, nor can your committee see why all other state officials should not have as good and equitable a right to an increase of their salaries as the one embraced in this bill.

D. C. Dickson

J. W. Throckmorton

Mr. Kinsey by leave made a minority report on the bill appropriating 500,000 dollars for the relief of the sick and wounded soldiers in the Confederate States Army.

Mr. Guinn, Chairman of Committee on Claims and Accounts, reported on the account of J. C. Glover and recommended its reference to the Finance Committee to be inserted in the general appropriation bill.

Mr. Ford, Chairman of Committee on Public Printing, reported that the Committee had contracted for 10 additional copies of the *Weekly Gazette* for the use of the President of the Senate.

Mr. Lea introduced a bill to require District Attorneys to report to the Comptroller's Office in certain cases. Read 1st time.

Mr. Parsons introduced a bill to fix the prices of certain articles therein named when sold to soldiers or their families. Read 1st and 2nd times and referred to the Judiciary Committee.

Mr. Maxey introduced a joint resolution in relation to the currency. Read 1st and 2nd times and referred to Committee on Confederate Relations.

A bill appropriating 500,000 dollars for a hospital fund was read 2nd time and the whole subject referred to Finance Committee.

A bill for the benefit of holders of land certificates issued to the Memphis, El Paso, and Pacific Rail Road Company. Read 2nd time and laid on the table.

A bill to regulate voting in certain cases. Read 2nd time and report of Committee recommending that it do not pass adopted.

The report of special committee made on yesterday by Mr. Wootten, Chairman, was referred to Committee on Finance.

A bill to amend 1st, 2nd and 3rd sections of an act to punish persons who evade or assist in evading the Conscript Laws. Read 2nd time and report of committee recommending that it do not pass was adopted.

A bill for relief of Robert Price was read 2nd time. Substitute adopted and ordered to be engrossed.

A bill to prevent Sabbath breaking. Read 3rd time and made special order for Wednesday next.

A bill for relief of A. J. Vaughn was read 3rd time and passed.

A message from the House announced the passage of the following bills:

A bill to authorize the Supreme Court for the Galveston District to hold its spring term at the City of Austin. Read 1st and 2nd times and referred to Judiciary Committee.

A bill to amend an act to punish speculation in certain cases. Read 1st and 2nd times and referred to Judiciary Committee.

A bill for the relief of preemption settlers. Read 1st and 2nd times and referred to Committee on Public Lands.

The Senate then adjourned until 10 o'clock A. M. tomorrow.